



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HODGKINSON et al

Atty. Ref.: 36-1437; Confirmation No. 6234

Appl. No. 09/787,197

TC/A.U. 2661

Filed: March 15, 2001

Examiner: T. Phan

For: COMPUTER COMMUNICATION

\* \* \* \* \*

November 14, 2005 (November 12,  
2005 being a Saturday)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

In response to the Office Action dated 07/12/2005 finding that applicant has claimed two patentably distinct inventions, applicant hereby traverses such restriction requirement but nevertheless, in order to provide a complete response as required in the outstanding action, applicant hereby provisionally elects Invention I comprising claims 1-12 and 15-19 for further examination in the present application.

All of the claims include the feature of a server computer which has two output buffers used in sending a stream of packets. Packets are sent using the first buffer (which provides a relatively high level of service) until the server computer receives a signal telling it to use the second buffer (which provides a relatively low level of service) for the remaining packets. This commonality was sufficient to meet Europe's more stringent unity-of-invention requirements.

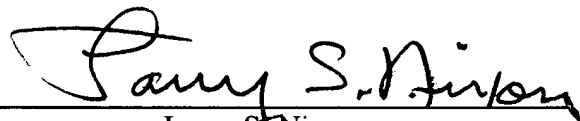
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Accordingly, the Examiner is respectfully requested to reconsider the outstanding restriction requirement and to withdraw it such that claims 13-14 can be examined and issued in the same application as the other claims now pending.

Respectfully submitted,

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